



Entered on Docket
June 18, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Case No. BK-S-06-10725-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Order Sustaining Seventh Omnibus
Objection Of USACM Liquidating
Trust To Proofs Of Claim Based In
Part Upon Investment In The
Gramercy Court Loan**

Hearing Date: June 15, 2010
Hearing Time: 9:30 a.m.

The Court having considered the "Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment In The Gramercy Court Loan" [DE 8061] (the "Objection"); the Court having heard the Objection on June 15, 2010; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8061] is sustained;

3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the Gramercy Court Loan for the reasons set forth
5 in the objection.

6 3. The claims listed on **Exhibit A** are not affected by this order to the extent
7 they are based upon an investment in another loan.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By/s/ Robert M. Charles, Jr. (# 6593)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]
- ☒ This is a chapter 11 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.
- ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr.
Attorneys for USACM Liquidating Trust

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Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment in the Gramercy Court Condos Loan
10725-02088	Robert W Ulm Living Trust Dtd 4/11/05	Robert W Ulm Tee 414 Morning Glory Rd St Marys, GA 31558	1,376,330.00	100,000.00
10725-01419	S & P Davis Limited Partnership	737 Bannerman Lane Fort Mill, SC 29715 S & P Davis Limited Partnership A Texas Partnership 6816 Citrine Drive Carlsbad, CA 92009	419,981.00	25,000.00
10725-00275	Sailon, David & Joan	2436 Cliffwood Dr Henderson, NV 89074	Unknown	Unknown
10725-01644	Sexton, David	21929 N 79th Pl Scottsdale, AZ 85255	58,043.27	Unknown
10725-02175	Simmons Hwjtwros, Alan R & Judith B	Po Box 13296 South Lake Tahoe, CA 96151-3296	1,186,288.22	50,000.00
10725-01909	Simon Ttees Of Simon Family Tr 2000, Alan & Carol	1800 Waldman Ave Las Vegas, NV 89102-2437	202,866.68	50,000.00
10725-01955	Small Family Trust	Richard & Jacquelin Small Ttees 4801 Calle Santa Cruze Prescott Valley, AZ 86314	703,134.00	50,000.00
10725-00528	Sonnenklar, Herbert & Norma R	2501 Poinciana Dr Weston, FL 33327-1415	170,789.00	50,000.00
10725-01581	Teeter Ira Rollover, Louise	4201 Via Marina, Suite 300 Marina Del Rey, CA 90292 Louise Teeter IRA Rollover Robert C. Lepome 10120 S. Eastern #200 Henderson, NV 89052	197,814.00	13,500.00
10725-02291	Terry R Helms Living Trust Dtd 11/11/94	Terry Helms 809 Upland Blvd Las Vegas, NV 89107-3719	11,155,754.80	2,000,000.00